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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,214	01/27/2004	Mark A. Etter	PTG 02-121-5

23531
 SUITER WEST PC LLO
 14301 FNB PARKWAY
 SUITE 220
 OMAHA, NE 68154



CONFIRMATION NO. 2579
 FORMALITIES LETTER

 OC000000012950430

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$266** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1166** for a Large Entity

• \$770 Statutory basic filing fee.	08/02/2004	MAHMED1	00000039	194882	10767214
• \$130 Late oath or declaration Surcharge.	01 FC:1001		770.00	DA	
	02 FC:1051		130.00	DA	
	03 FC:1201		86.00	DA	
• Total additional claim fee(s) for this application is \$266	04 FC:1202		180.00	DA	

- **\$86** for **1** independent claims over 3.
- **\$180** for **10** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

Attorney Docket N°: PTG 02-121-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Mark A. Etter et al.
Serial N° : 10/767,214
Filed : January 27, 2004
Group Art Unit : 2173
Examiner :
For : **POWER TOOL CONTROL SYSTEM**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION**

CERTIFICATION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on July 27, 2004, in a First Class envelope, with sufficient postage thereon, addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny L. Flint
Penny L. Flint

DATE: July 27, 2004

Applicant responds to the *Notice to File Missing Parts of Application* dated June 15, 2004, in reference to the above application for patent as follows:

1. A *Combined Declaration and Power of Attorney In a Patent Application* is attached.
2. The Commissioner is hereby authorized to charge Deposit Account 19-4882 in the amount of **\$1,166.00** to cover the surcharge and filing fees in response to the *Notice to File Missing Parts*. A duplicate copy of this *Response* is enclosed for accounting purposes.

3. The Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this *Response*, or credit any overpayment to Deposit Account Nº 19-4882.
6. A copy of the *Notice to File Missing Parts of Application* is attached herewith.

Please direct all correspondence to: **CUSTOMER NO. 23531**

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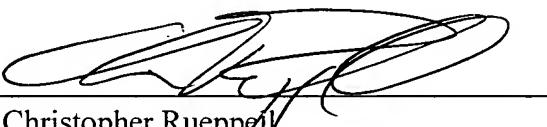
DATED: July 27, 2004.

Respectfully submitted,

Mark A. Etter et al.,

Delta International Machinery Corp.,

By


R. Christopher Rueppel
Reg. Nº 47,045